

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
GREENEVILLE DIVISION**

**B.P., H.A., and S.H. individually, and  
On behalf of all others similarly situated,**

**Plaintiffs,**

**v.**

**No: 2:23-cv-00071-TRM-JEM**

**CITY OF JOHNSON CITY, TENNESSEE, et al.,**

**Defendants.**

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**JOINT MOTION TO AMEND SCHEDULING ORDER**

COME NOW Plaintiffs B.P., H.A., and S.H., individually and as proposed class representatives of all others similarly situated, (“Plaintiffs”), Defendants City of Johnson City, Tennessee, Karl Turner, Kevin Peters, Toma Sparks, Justin Jenkins, Jeff Legault, and Brady Higgins (together, “Defendants”), (collectively, the “Parties”), through their respective undersigned counsel, who request the following amendments to the case schedule.

On November 28, 2023, the Court issued a Scheduling Order. Doc 86. The Scheduling Order set a June 10, 2024 deadline for expert disclosures under Rule 26(a)(2)(B) and Rule 26(a)(2)(C), with rebuttals due by July 10, 2024. The Parties request an extension to file expert disclosures to August 13, 2024, with any rebuttals due by September 13, 2024.

On December 12, 2023, the Court amended the scheduling order in this matter. Doc. 95. The amended Order set deadlines for all dispositive motions under Rule 12 to be filed no later than April 1, 2024, and for any responses to those motions to be filed on or before May 1, 2024. To date, four Rule 12 motions have been filed. Plaintiffs will respond to all Rule 12 motions by May 1, 2024.

The existing deadlines concerning class certification are August 15, 2024 for the motion, and September 16, 2024 for the opposition. No deadline is set for reply. The Parties request that the Plaintiffs' motion be due October 9, 2024, Defendants' opposition be due by November 15, 2024, and Plaintiffs' reply in support of class certification be due by December 6, 2024.

No further changes to the case schedule are requested at this time.

Subject to the Court's approval, the second amended case schedule would be as follows:

| <b><u>Motion</u></b>                                   | <b><u>Deadline</u></b> |
|--|------------------------|
| Rule 12 Motions  | April 1, 2024          |
| Responses to Rule 12 Motions                           | May 1, 2024            |
| Disclosure of any expert testimony                     | August 13, 2024        |
| Disclosure of rebuttal expert testimony                | September 13, 2024.    |
| Motion for Class Certification                         | October 9, 2024        |
| Final Witness List                                     | November 4, 2024       |
| Response to Motion for Class Certification             | November 15, 2024.     |
| Discovery Cut Off                                      | December 2, 2024       |
| Reply in support of Motion for Class<br>Certification  | December 6, 2024       |
| Rule 56 Motions for Summary Judgment                   | December 30, 2024      |
| Daubert Motions  | December 30, 2024      |
| Pretrial Disclosures                                   | March 3, 2025          |
| Motions in Limine                                      | March 10, 2025         |
| Objections to admissibility of deposition<br>testimony | March 24, 2025         |

|   |                |
|---|----------------|
| Stipulations of Fact  | March 24, 2025 |
| Joint Proposal for Jury Instructions                          | March 24, 2025 |
| Trial Brief and joint proposed final pretrial order           | March 24, 2025 |
| Identify deposition testimony that will be presented at trial | March 24, 2025 |
| Objections to deposition testimony                            | March 28, 2025 |
| Final Pretrial Conference                                     | March 31, 2025 |
| Trial   | April 14, 2025 |

Dated April 4, 2024.

Respectfully submitted,

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### CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on April 4, 2024 to counsel of record:

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